

DAVID L. MORSE  
Prosecuting Attorney



DANIEL GARBER, JR.  
Chief Assistant Prosecutor

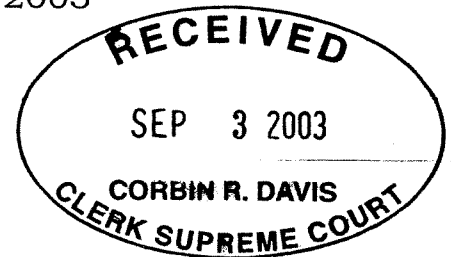
SHERI TAYS PUMMILL  
Victim-Witness Coordinator

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**PROSECUTING ATTORNEY**

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September 2, 2003

Chief Justice Maura Corrigan  
Michigan Supreme Court  
Cadillac Place, 3034 W. Grant Blvd.  
Suite 8-500  
Detroit, MI 48202-6034



**RE: ADM 2001-51; Proposed Amendment to MRE 404**

Dear Chief Justice Corrigan:

I am writing in support of the proposed amendment to MRE 404. My preference is Option 1, but would support the adoption of either proposed amendment.

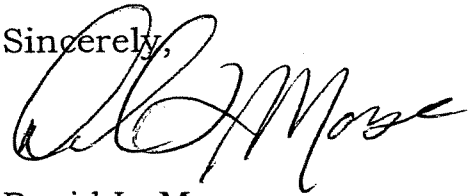
The need for the change is clear. Often prosecutor's will charge domestic violence in a situation where the assault is relatively minor. This is because it is often the first time a victim has come forward after a history of more serious incidents. Juries, without having the context of the violent relationship to consider, are reluctant to convict on what they perceive to be minor altercations. As a result, victims continue to endure abuse and do not come forward to report because they have lost faith in the judicial system's ability to protect them.

As distinguished from general criminal behavior, a defendant's history of domestic violence is predictive of future behavior. The cycle of violence is a widely accepted explanation of the pattern of violent behavior involving intimate partners. The most identifiable characteristic of domestic violence is that it is a pattern of behavior and not simply a single incident.

Thank you for your consideration. If I can provide any further

information about this important proposal please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Morse", written in a cursive style.

David L. Morse

cc: Members of Supreme Court  
Corbin Davis, Supreme Court Clerk  
Charles Sherman, PAAM President  
K.C. Steckleberg, PAAM